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## DEPARTMENT OF AGRICULTURE

WFO 2  
APR. 29, 1946

[WFO 2]

### PART 1401—DAIRY PRODUCTS

#### REQUIREMENTS FOR PRODUCERS AND AUTHORIZED RECEIVERS TO SET ASIDE BUTTER

The fulfillment of requirements for the defense of the United States will result in a shortage of the supply of butter for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1401.202 *Butter to be set aside—*  
(a) *Definitions.* (1) "Butter" means the food product usually known as butter and which is made exclusively from milk or cream, or both, with or without common salt, and with or without additional coloring matter, and containing not less than 80 percent by weight of milk fat, all tolerances having been allowed. Unless otherwise specified by the Administrator, such term shall include butter made from milk or cream containing whey cream and shall exclude butter made entirely from whey cream.

(2) "U. S. 89 score," means U. S. Grade C, or 89 score, butter, determined in accordance with the Official United States Standards for Grades of Creamery Butter, issued by the Secretary of Agriculture on January 30, 1943 (8 F. R. 1327).

(3) "Person" means any individual, partnership, corporation, association, or any other business entity or organized group of persons, whether incorporated or not.

(4) "Authorized receiver" means any person who holds a letter of authority in force and effect, issued to him by the Administrator, to receive butter set aside pursuant to the provisions hereof. The term "authorized receiver" shall also include any person who is authorized pursuant hereto to receive such butter.

(5) "Set aside" means to set aside and hold for sale and delivery to any designated agency.

(6) "Designated agency means (i) the Armed Services of the United States (excluding, for the purposes of this order, the United States Army post exchanges, the United States Navy ship service departments, and the United States Marine Corps post exchanges); (ii) War Shipping Administration; (iii) Veterans' Administration; and (iv) any other agencies designated by the Administrator.

(7) "Armed Services of the United States" means the Army, the Navy, the Marine Corps, and the Coast Guard of the United States.

(8) "Producer" means a person who produces butter subject to the provisions of this order.

(9) "Administrator" means the Administrator, Production and Marketing Administration, United States Department of Agriculture, or any officer or employee of the Department to whom the Administrator has heretofore lawfully delegated, or to whom he may hereafter lawfully delegate, the authority to act in his stead.

(b) *Restrictions on producers and authorized receivers of butter.* (1) Each person who produced more than 12,000 pounds of butter in any calendar month from May 1945 to April 1946, inclusive, shall set aside in May 1946, and in each subsequent calendar month, a quantity of butter equal to such percentage as the Administrator may order of all butter produced by such person during each such calendar month, regardless of the quantity of butter produced by him during or after May 1946.

(2) Each person who did not produce more than 12,000 pounds of butter in any calendar month from May 1945 to April 1946, inclusive, but who produces more than 12,000 pounds of butter in May 1946 or in any subsequent calendar month shall, during each calendar month thereafter, set aside a quantity of butter equal to such percentage as the Administrator may order of all butter produced by such person during each such calendar month, regardless of the quantity of butter produced by such person in such month.

(3) In the event of a change in ownership with respect to a creamery, the production record of the former owner with respect to such creamery shall be the basis for reporting and setting aside butter by the new owner; and the purchaser of the creamery shall so report and set aside butter if (i) the person from whom he purchased the creamery was obligated to report and set aside butter, or (ii) such purchaser is required by other provisions hereof to report and set aside butter.

(4) Notwithstanding the restrictions in paragraphs (a) (1), (2), and (3) hereof, any person required by the provisions of such paragraphs to set aside butter may, at his option, sell and deliver all or part of the butter set aside pursuant to the provisions hereof to any authorized receiver who agrees to set aside, upon receipt of such set-aside butter and out of butter owned by him, a quantity of butter equal to the quantity of such set-aside butter so sold and delivered to him; and such authorized receiver shall so set aside such quantity of such butter. An authorized receiver may sell and deliver set-aside butter to another authorized receiver who agrees to set aside, upon receipt of such set-aside butter, out of the butter owned by him and in addition to all other butter required to be set aside by him, a quantity of butter equal to the quantity of set-aside butter so sold and delivered to him. Each person who sells and delivers set-aside butter to an authorized receiver shall deliver, with each such delivery, a certificate, in duplicate, in substantially the following language (with the appropriate information inserted in the blank spaces):

This is to certify that of the ---- pounds of butter sold and delivered by me on ----  
----- pounds are butter set aside pursuant to the provisions of War Food Order No. 2, issued on April 29, 1946, and you are required, pursuant to the provisions

of said order, to set aside, upon receipt of such set-aside butter, out of butter owned by you, a quantity of butter equal to the aforesaid quantity of set-aside butter. The balance of ---- pounds is butter free from the restrictions of said order.

I ----- an authorized receiver.  
(am) (am not)

Name	Location	Signature
This will acknowledge receipt of the above indicated quantity of set-aside butter.		

Name	Location	Signature
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The aforesaid certificate, in duplicate, shall be signed (i) by the person selling and delivering set-aside butter, and (ii) by the authorized receiver accepting such set aside butter; and such authorized receiver shall retain, for two years, one copy of such certificate and return the other to the person who sold and delivered such set-aside butter.

(5) All butter set aside pursuant to the provisions hereof shall be salted and shall be U. S. 89 score, or better, and shall be packed as bulk in domestic packages, unless otherwise specified by the Administrator, or, with respect to any particular quantity of butter required to be set aside, as aforesaid, unless

(i) The producer arranges with an authorized receiver to sell and deliver to such authorized receiver unsalted butter, butter below U. S. 89 score, or butter packaged other than as specified herein and such authorized receiver agrees to set aside, upon receipt of such butter, an equal quantity of butter which is salted, is U. S. 89 score, or better, and is packaged as specified herein; or

(ii) The producer or authorized receiver has previously arranged with a designated agency to sell and deliver to such agency unsalted butter, butter below U. S. 89 score, or butter packaged other than as specified herein; or

(iii) The producer manifests by butter grading certificates issued by the Production and Marketing Administration, as aforesaid, or by other written evidence satisfactory to the Administrator, that the total quantity of U. S. 89 score, and better, produced by such producer in the calendar month in which such butter is required to be set aside, is less than the total quantity required to be set aside by such producer in such month, in which event the producer shall set aside all of the U. S. 89 score, and better, produced by him in such month; and thereupon he shall be deemed to have fulfilled the set-aside requirements, as aforesaid. The Administrator may require any person who is required to set aside butter pursuant to the provisions hereof to submit butter grading certificates issued by the aforesaid Production and Marketing Administration or other evidences satisfactory to the Administrator relative to the grade of all butter produced or owned by such person.

(6) All butter set aside pursuant to the provisions hereof shall be stored under the same conditions of storage



customarily observed to maintain the quality of butter.

(7) Any person who sold and delivered any quantity of butter to any designated agency during April 1946 may consider such quantity of butter as having been set aside, pursuant to the provisions hereof or Administrator's order pursuant hereto, by such person during May 1943 or any subsequent calendar month of 1946. Any person who sells and delivers any quantity of butter to any designated agency during any calendar month of 1946 subsequent to April 1946 in excess of the quantity thereof required to be set aside during such month by such person, pursuant to the provisions hereof or Administrator's order pursuant hereto, may consider such excess quantity of butter as having been set aside by such person during any calendar month of 1946 subsequent to May 1946.

(8) No person may serve as an authorized receiver unless he has received from the Administrator a letter of authority in force and effect to serve as an authorized receiver pursuant hereto. Any letter of authority heretofore issued pursuant to War Food Order No. 2, as amended on April 1, 1945 (10 F.R. 3512), shall be deemed to be a proper letter of authority in force and effect as if issued pursuant to the provisions of this order.

Any person who desires to serve as an authorized receiver on or after May 1, 1946 and who does not hold a letter of authority as aforesaid, shall file with the Administrator an application therefor, upon a form approved by the Administrator, setting forth the information requested in said form of application. Thereupon, the Administrator shall consider such application and issue a letter of authority if, in the opinion of the Administrator, the issuance of such letter of authority is necessary or appropriate in the public interest and to promote the national defense. Any letter of authority effective hereunder may be revoked at any time by the Administrator; and all letters of authority issued to become effective on or after April 1, 1945, shall expire on March 31, 1947, or on such other date as the Administrator may specify by order. No person shall represent himself to be an authorized receiver unless he holds a letter of authority, as aforesaid, in force and effect. No person other than an authorized receiver shall, unless otherwise authorized herein, purchase, receive, or deal in butter set aside pursuant to the provisions hereof.

(c) *Inventory restrictions.* (1) On and after June 1, 1946:

(i) No producer shall, during any calendar month, unless authorized in writing by the Administrator, produce butter so long as the total quantity of butter, set aside pursuant to the provisions of this order, owned by such person is equal at least to the total quantity of all butter required, by the provisions of this order, to be set aside by such person during the

immediately preceding calendar month; and

(ii) No authorized receiver shall, during any calendar month, unless authorized in writing by the Administrator, buy, contract to buy, accept delivery of, or otherwise acquire butter so long as the total quantity of butter, set aside pursuant to the provisions of this order, owned by such person is equal at least to the total quantity of butter required, by the provisions of this order, to be set aside by such person during the immediately preceding calendar month.

(2) Each producer and each authorized receiver, respectively, shall retain in his possession at all times a quantity of set-aside butter which is equal to the total quantity of butter required to be set aside by each such person minus the quantity of set-aside butter (i) sold and delivered by such person to authorized receivers or designated agencies, and (ii) released from the set-aside provisions hereof.

(d) *Releases by the Administrator.* The Administrator shall release any set-aside butter from the restrictions of this order upon receipt of a request for such release from the person owning such set-aside butter, if the Administrator determines that no designated agency has contracted for, or declared its intention or desire to contract for, such butter within 15 days after the date on which such butter was offered to designated agencies in accordance with the respective agency's customary procedure for accepting offers.

(e) *Existing contracts.* The provisions of this order and of any regulation or order pursuant hereto shall be observed without regard to contracts heretofore or hereafter entered into or any rights accrued or payments made thereunder. This order shall not, however, be construed as reducing the amount of butter which any person is required to offer or deliver, under existing contracts or contracts subsequently entered into with any designated agency, to any such agency.

(f) *Records and reports.* (1) The Administrator shall be entitled to obtain such information from, and require such reports and the keeping of such records by, any person as may be necessary or appropriate, in the discretion of the Administrator, for the enforcement or administration of the provisions of this order, subject to the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(2) Every person subject to this order shall, for at least two years (or for such other period of time as the Administrator may designate), maintain an accurate record of his transactions in butter.

(g) *Audits and inspections.* The Administrator shall be entitled to make such audits and inspections of the books, records and other writings, premises or stocks of butter of any person and to make such investigations as may be necessary or appropriate, in the discretion of the Administrator, for the en-

forcement or administration of the provisions of this order.

(h) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional or unreasonable hardship on him may file a petition for relief with the Administrator. Such petition shall be addressed to Administrator, Production and Marketing Administration, United States Department of Agriculture, Washington 25, D. C. Petitions for such relief shall be in writing and shall set forth all pertinent facts and the nature of the relief sought. The Administrator may consider any such petition and take such action with reference thereto that he deems appropriate, and such action shall be final.

(i) *Violations.* Any person who violates any provision of this order or of any regulation or order pursuant hereto, may, in accordance with the applicable procedure, be prohibited from receiving, making any deliveries of, or using butter. In addition, any person who willfully violates any provision of this order or of any regulation or order pursuant hereto is guilty of a crime and may be prosecuted under any and all applicable laws. Further, civil action may be instituted to enforce any liability or duty created by, or to enjoin any violation of, any provision of this order.

(j) *Delegation of authority.* The administration of this order and the powers vested in the Secretary of Agriculture of the United States, insofar as such powers relate to the administration of this order, are hereby delegated to the Administrator; and the Administrator is hereby authorized to redelegate to any employee or employees of the United States Department of Agriculture any or all of the authority vested in the Administrator by this order.

(k) *Communications.* All reports to be filed pursuant hereto and all communications concerning this order shall, except as provided herein or unless instructions to the contrary are issued by the Administrator, be addressed to the Administrator, Production and Marketing Administration, United States Department of Agriculture, Washington 25, D. C.

(l) *Territorial scope.* This order shall apply only in the area included in the 48 States of the United States and the District of Columbia.

(m) *Effective date.* This order shall become effective at 12:01 a. m., e. s. t., May 1, 1946.

NOTE: The record-keeping requirements of this order have been approved by, and all subsequent record-keeping and reporting requirements will be subject to the approval of, the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(E.O. 9280, 7 F.R. 10179; E.O. 9577, 10 F.R. 8087)

Issued this 29th day of April 1946.

[SEAL] CLINTON P. ANDERSON,  
Secretary of Agriculture.

War Food Administration  
Summary to WFO-2

The U. S. Department of Agriculture announced today that producers of creamery butter will be required to set aside 20 percent of their May production for sale to military agencies. This action was taken to help the Army, Navy and other war service agencies purchase butter urgently needed at this time. No butter will be set aside for export shipment to foreign countries.

Tentative indications are that the military agencies will have to purchase about 45 million pounds of butter from United States supplies during 1946, and

it is now planned to operate the set aside program only during May and June when production is seasonally largest. Hence, the military agencies will purchase from May and June production sufficient supplies to cover their needs through the fall and winter months. This arrangement will make it possible for the trade to store some supplies produced in July and August for civilian consumption during later months of seasonally lower production. It will also make it possible for civilians to receive all the butter produced in subsequent months.

On the basis of tentative estimates, supplies of creamery butter for civilian

use during May are expected to approximate 95 million pounds, which is considerably more than has been available during recent months.

Arrangements have recently been made for the Army to obtain at least part of its requirements of butter for troops overseas from Denmark, and, if possible, from Australia and New Zealand. The total quantities involved may approximate 15 million pounds, which will result in correspondingly less purchases from our own production. These arrangements have been taken into account in determining the set aside plan for 1946.



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## WAR FOOD ADMINISTRATION

[WFO 2, Amdt. 5]

## PART 1401—DAIRY PRODUCTS

## REQUIREMENTS FOR PRODUCERS AND AUTHORIZED RECEIVERS TO SET ASIDE BUTTER

War Food Order No. 2, as amended (8 F.R. 253, 5696, 9 F.R. 3623, 4321, 4319, 9584, 10 F.R. 103), is further amended to read as follows:

§ 1401.11 *Butter required to be set aside*—(a) *Definitions*. When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent hereof:

(1) "Butter" means the food product usually known as butter and which is made exclusively from milk or cream, or both, with or without common salt, and with or without additional coloring matter, and containing not less than 80 percent by weight of milk fat, all tolerances having been allowed. Unless otherwise specified by the Director, it shall include butter made from milk or cream containing whey cream and shall exclude butter made entirely from whey cream.

(2) "U. S. 90 score" and "U. S. 89 score," respectively, mean U. S. Grade B, or 90 score, butter, and U. S. Grade C, or 89 score, butter, respectively, determined in accordance with the Official United States Standards for Grades of Creamery Butter, issued by the Secretary of Agriculture on January 30, 1943 (8 F.R. 1327).

(3) "Person" means any individual, partnership, corporation, association, or any other business entity or organized group of persons, whether incorporated or not.

(4) "Authorized receiver" means any person who holds a letter of authority, issued to him by the Director, to receive butter set aside pursuant to the provisions hereof.

(5) "Set aside" means to set aside and hold for sale and delivery to any designated agency.

(6) "Designated agency" means (i) the War Food Administration, including, but not limited to, any corporate agency thereof; (ii) Dairy Products Marketing Association, Inc.; (iii) the Armed Services of the United States (excluding, for the purposes of this order, the United States Army post exchanges, the United States Navy ship service departments, and the United States Marine Corps post exchanges); (iv) War Shipping Administration; (v) Veterans' Administration; (vi) any other agencies designated by the Director; and (vii) any person who, pursuant to a war food order, is entitled to purchase butter subject to this order.

(7) "Armed Services of the United States" means the Army, the Navy, the Marine Corps, and the Coast Guard of the United States.

(8) "Producer" means a person who produces butter subject to the provisions of this order.

(9) "Director" means the Director of Marketing Services, War Food Administration.

(b) *Restrictions on producers and authorized receivers of butter*. (1) Each person who produced more than 12,000 pounds of butter in any calendar month from April 1944 to March 1945, inclusive, shall set aside in April 1945, and in each subsequent calendar month, a quantity of butter equal to such percentage as the Director may order of all butter produced by such person during each such calendar month, regardless of the quantity of butter produced by him during or after April 1945.

(2) Each person who did not produce more than 12,000 pounds of butter in any calendar month from April 1944 to March 1945, inclusive, but who produces more than 12,000 pounds of butter in April 1945 or in any subsequent calendar month shall, during each calendar month thereafter, set aside a quantity of butter equal to such percentage as the Director may order of all butter produced by such person during each such subsequent calendar month, regardless of the quantity of butter produced by such person in each such subsequent calendar month.

(3) In the event of a change in ownership with respect to a creamery, the production record of the former owner with respect to such creamery shall be the basis for reporting and setting aside butter by the new owner; and the purchaser of the creamery shall so report and set aside butter if (i) the person from whom he purchased the creamery was obligated to report and set aside butter, or (ii) such purchaser is required by other provisions hereof to report and set aside butter.

(4) Notwithstanding the restrictions in paragraphs (b) (1), (2), and (3) hereof, any person required by the provisions of such paragraphs to set aside butter may, at his option, sell and deliver all or part of the butter set aside pursuant to the provisions hereof to any authorized receiver who agrees to set aside, upon receipt of such set-aside butter, out of butter owned by him, a quantity of butter equal to the quantity of such set-aside butter so sold and delivered to him, and such authorized receiver shall so set aside such quantity of such butter. An authorized receiver may sell and deliver set-aside butter to another authorized receiver who agrees to set aside, upon receipt of such set-aside butter, out of butter owned by him and in addition to all other butter required to be set aside by him, a quantity of butter equal to the quantity of set-aside butter so sold and delivered to him. Each person who sells and delivers set-aside butter to an authorized receiver shall deliver, with each such delivery, a certificate, in duplicate, in substantially the following language (with the appropriate information inserted in the blank spaces):

"This is to certify that of the ----- pounds of butter sold and delivered by me on ----- pounds are butter set aside pursuant to the provisions of War Food Order No. 2, issued on January 5, 1943, as amended, and you are required, pursuant to the provisions

of said order, as amended, to set aside, upon receipt of such set-aside butter, out of butter owned by you, a quantity of butter equal to the aforesaid quantity of set-aside butter. The balance of ----- pounds is butter free from the restrictions of said order, as amended.

I ----- an authorized receiver.  
(am) (am not)

-----  
Name Location Signature  
"This will acknowledge receipt of the above indicated quantity of set-aside butter."

-----  
Name Location Signature

The aforesaid certificate, in duplicate, shall be signed (i) by the person selling and delivering set-aside butter, and (ii) by the authorized receiver accepting such set-aside butter; and such authorized receiver shall retain, for two years, one copy of such certificate and return the other to the person who sold and delivered such set-aside butter.

(5) All butter set aside pursuant to the provisions hereof shall be salted and shall be U. S. 90 score, or better, and shall be packed as bulk in domestic packages, unless

(i) Otherwise specified by the Director; or

(ii) The producer arranges with an authorized receiver to sell and deliver to such authorized receiver unsalted butter, butter below U. S. 90 score, or butter packaged other than as specified herein and such authorized receiver agrees to set aside, upon receipt of such set-aside butter, an equal quantity of butter which is salted, is U. S. 90 score, or better, and is packaged as specified herein; or

(iii) The producer or authorized receiver has previously arranged with a designated agency to sell and deliver to such agency unsalted butter, butter below U. S. 90 score, or butter packaged other than as specified herein; or

(iv) The producer manifests by butter grading certificates issued by the Office of Marketing Services, War Food Administration, or by other written evidence satisfactory to the Director, that the quantity of U. S. 90 score, and better, produced by such producer in the calendar month in which such butter is required to be set aside, is less than the quantity required to be set aside by such producer in such month, in which event the producer shall set aside all of the U. S. 90 score, and better, produced by him in such month and an additional quantity of U. S. 89 score produced by him in such month to the extent necessary to fulfill such producer's total set-aside requirements under the provisions hereof: *Provided*, That if a producer does not produce, during such month, an additional quantity, as aforesaid, of U. S. 89 score sufficient to fulfill such producer's total set-aside requirements as aforesaid, he shall set aside all of the U. S. 89 score, and better, so produced by him, and thereupon he shall be deemed to have fulfilled the set-aside requirements as aforesaid. Any authorized receiver



who purchases and accepts delivery of any butter set aside in accordance with (iv) of this paragraph shall set aside, upon receipt of such butter, an equal quantity of butter which shall contain, at least, the same number of pounds of U. S. 90 score, or better, as that of U. S. 90 score, and better, contained in the quantity of butter so accepted by him, and the remainder, if any, thus set aside shall be U. S. 89 score. The Director may require any person who is required to set aside butter pursuant to the provisions hereof to submit butter grading certificates issued by the Office of Marketing Services or other evidences satisfactory to the Director relative to the grade of all butter produced or owned by such person.

6. All butter set aside pursuant to the provisions hereof shall be stored under the same conditions of storage customarily observed to maintain the quality of butter.

(7) No person may serve as an authorized receiver unless he has received from the Director a letter of authority to serve as an authorized receiver. Any such letter of authority issued to become effective prior to April 1, 1945, shall not entitle the person to whom it was issued to serve as an authorized receiver on or after April 1, 1945. Any person who desires to serve as an authorized receiver on or after April 1, 1945, shall file with the Director an application upon a form approved by the Director setting forth information requested in said form of application. Thereupon, the Director shall consider such application and issue a letter of authority if, in the opinion of the Director, the issuance of such letter of authority is necessary or appropriate in the public interest and to promote the national defense. Any letter of authority, issued as aforesaid, may be revoked at any time by the Director and all letters of authority issued to become effective on or after April 1, 1945, shall expire on March 31, 1946, or on such other date as the Director may specify by order. No person shall represent himself to be an authorized receiver unless he holds a letter of authority issued by the Director pursuant hereto. No person other than an authorized receiver shall purchase, receive, or deal in butter set aside pursuant to the provisions hereof: *Provided*, That any set-aside obligations incumbent on any person with respect to butter acquired or butter produced by him on or prior to March 31, 1945, shall continue subsequent to March 31, 1945.

(c) *Inventory restrictions.* (1) No authorized receiver shall, during any calendar month, unless authorized in writing by the Director, buy, or contract to buy, and accept delivery of any quantity of set-aside butter which will cause the total quantity of set-aside butter owned by such authorized receiver on the last day of such calendar month to exceed an amount equal to the total quantity of butter required to be set aside by such authorized receiver during such calendar month and the immediately preceding calendar month.

(2) Each producer and each authorized receiver, respectively, shall retain in his possession at all times a quantity of set-aside butter which is equal to the total quantity of butter required to be set aside by each such person minus the quantity of set-aside butter (i) sold and delivered by each such person to authorized receivers or designated agencies, and (ii) released from the set-aside provisions hereof.

(d) *Releases by Director.* The Director may release any butter from the restrictions of this order if he determines that no designated agency has contracted for, or declared its intention or desire to contract for, such butter within such period as may be specified by the Director, or that such butter is not required for such agencies. The Director may issue such administrative rulings, regulations, interpretations, and exemptions, as he deems necessary to facilitate, expedite, and accomplish the purposes of this order.

(e) *Existing contracts.* The provisions of this order and of any regulation or order issued in pursuance hereof shall be observed without regard to contracts heretofore or hereafter entered into or any rights accrued or payments made thereunder. This order shall not, however, be construed as reducing the amount of butter which any person is required to offer or deliver, under existing contracts or contracts subsequently entered into with any designated agency, to any such agency.

(f) *Records and reports.* (1) The Director shall be entitled to obtain such information from, and require such reports and the keeping of such records by any person, as may be necessary or appropriate, in the discretion of the Director, for the enforcement or administration of the provisions of this order, subject to the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(2) Every person subject to this order shall, for at least two years (or for such other period of time as the Director may designate), maintain an accurate record of his transactions in butter.

(g) *Audits and inspections.* The Director shall be entitled to make such audit or inspection of the books, records, and other writings, premises or stocks of butter of any person and to make such investigations as may be necessary or appropriate, in the discretion of the Director, for the enforcement or administration of the provisions of this order.

(h) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional or unreasonable hardship on him may file a petition for relief with the Order Administrator. Such petition shall be addressed to Order Administrator, War Food Order No. 2, Dairy and Poultry Branch, Office of Marketing Services, War Food Administration, Washington 25, D. C. Petition for such relief shall be in writing and shall set forth all

pertinent facts and the nature of the relief sought. The Order Administrator may take any action with reference to such petition which is consistent with the authority delegated to him by the Director. If the petitioner is dissatisfied with the action taken by the Order Administrator on the petition, he shall obtain, by requesting the Order Administrator therefor, a review of such action by the Director. The Director may, after said review, take such action as he deems appropriate, and such action shall be final. The provisions of this paragraph (h) shall not be construed to deprive the Director of authority to consider originally any petition for relief from hardship submitted in accordance herewith. The Director may consider any such petition and take such action with reference thereto that he deems appropriate, and such action shall be final.

(i) *Violations.* Any person who violates any provision of this order may, in accordance with the applicable procedure, be prohibited from receiving, making any deliveries of, or using butter. In addition, any person who wilfully violates any provision of this order is guilty of a crime and may be prosecuted under any and all applicable laws. Further, civil action may be instituted to enforce any liability or duty created by, or to enjoin any violation of, any provision of this order.

(j) *Delegation of authority.* The administration of this order and the powers vested in the War Food Administrator, insofar as such powers relate to the administration of this order, are hereby delegated to the Director. The Director is authorized to redelegate to any employee of the United States Department of Agriculture any or all of the authority vested in him by this order.

(k) *Communications.* All reports to be filed hereunder and all communications concerning this order shall, except as provided herein or unless instructions to the contrary are issued by the Director, be addressed to the Order Administrator, War Food Order No. 2, Dairy and Poultry Branch, Office of Marketing Services, War Food Administration, Washington 25, D. C.

(l) *Territorial scope.* This order shall apply only in the area included in the 48 States of the United States and the District of Columbia.

(m) *Provisions of certain previous orders not affected.* The provisions hereof shall not be considered as rescinding or modifying the provisions of any order heretofore issued pursuant to War Food Order No. 2, or War Food Order No. 2, as amended.

(n) *Effective date.* This order shall become effective at 12:01 a. m., e. w. t., April 1, 1945. With respect to violations, rights accrued, liabilities incurred, or appeals taken under said War Food Order No. 2, as amended, prior to the effective time of the provisions hereof, all provisions of War Food Order No. 2, as amended, in effect prior to the is-



suance of this order shall be deemed to continue in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

NOTE: The record-keeping requirements of this order have been approved by, and all subsequent record-keeping and reporting requirements will be subject to the approval of, the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 30th day of March 1945.

MARVIN JONES,  
War Food Administrator.

War Food Administration,  
Summary to WFO-2 Amendment 5.

**BUTTER ORDER AMENDED (AMEND. 5,  
WFO 2)**

The War Food Administration announced today that the butter set aside order (WFO 2) has been amended, effective April 1, to provide for reauthorization of butter receivers, and to move up by one year the start of the period used to determine which creameries will be subject to the order.

Present authorizations to receive but-

ter set aside under WFO 2 will expire March 31. Persons wishing to act as receivers for set aside butter after that date must be reauthorized. Applications for reauthorization and instructions for filing have been sent to all receivers whose certification will terminate on March 31.

WFA officials explained that the start of the base period is being changed so that the question as to whether a manufacturer's production is large enough to require him to set aside part of his production for war purposes may be deter-

mined on the basis of more recent production data. The new base period begins with April 1, 1944.

For those manufacturers who produced more than 12,000 pounds of butter in any month since the start of the new base period, the set aside quotas for April and May, as recently announced by the WFA, are 40 percent and 55 percent of monthly production, respectively. Manufacturers who produce 12,000 pounds in any month after March 1945 must set aside the applicable percentage in each subsequent month.





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op. 3

DEPARTMENT OF AGRICULTURE

[WFO 2-1]

PART 1401—DAIRY PRODUCTS

PERCENTAGE OF BUTTER REQUIRED TO BE SET  
ASIDE IN MAY 1946

Pursuant to the authority vested in me by War Food Order No. 2, effective May 1, 1946 (11 F.R. 4721), and in order to effectuate the purposes of such order, it is hereby ordered as follows:

§ 1401.203 *Percentage of butter to be*

*set aside in May 1946—(a) Definitions.* Each term defined in War Food Order No. 2 shall, when used herein, have the same meaning as set forth for such term in said War Food Order No. 2.

(b) *Percentage.* Each person who produces butter and is required by War Food Order No. 2 to set aside butter during May 1946 shall set aside in such month a quantity of butter equal to 20 percent of all butter produced by him in that month.

(c) *Effective date.* This order shall become effective at 12:01 a. m., e. s. t., May 1, 1946.

(E.O. 9280, 7 F.R. 10179; E.O. 9577, 10 F.R. 8087, WFO 2, *supra*)

Issued this 29th day of April 1946.

[SEAL]

E. A. MEYER,  
Assistant Administrator, Pro-  
duction and Marketing Ad-  
ministration.







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APR. 29, 1946

## DEPARTMENT OF AGRICULTURE

[WFO 2-2]

## PART 1401—DAIRY PRODUCTS

REPORTS REQUIRED FOR CERTAIN PRODUCERS  
AND AUTHORIZED RECEIVERS OF BUTTER

Pursuant to the authority vested in me by War Food Order No. 2, effective May 1, 1946 (11 F.R. 4721), and in order to effectuate the purposes of such order, it is hereby ordered as follows:

§ 1401.204 *Reports—(a) Definitions.*  
(1) Each term defined in War Food Order No. 2 shall, when used herein, have the same meaning as set forth for such term in said War Food Order No. 2.

(b) *Reporting requirements.* (1) Each person who produced more than 12,000 pounds of butter in any calendar month from May 1945 to April 1946, inclusive, shall correctly complete form "Dairy Products Report No. 2—Butter (Creamery Set-aside Butter Report)" for May 1946 and for each calendar month thereafter during which such person has in his possession, or is obligated to have in his possession, any butter required to be set aside pursuant to the provisions of War Food Order No. 2, regardless of the quantity of butter produced by him during and after May 1946. Each such completed form shall be mailed to the United States Department of Agriculture,

Box 6910-A, Chicago, Illinois, not later than the tenth day of the month next succeeding the month for which such report is made.

(2) Each person who did not produce more than 12,000 pounds of butter in any calendar month from May 1945 to April 1946, inclusive, but who produces more than 12,000 pounds of butter in May 1946 or any subsequent calendar month shall correctly complete from "Dairy Products Report No. 2—Butter (Creamery Set-aside Butter Report)" for May 1946 and for each subsequent calendar month thereafter during which such person has in his possession, or is obligated to have in his possession, any butter required to be set aside pursuant to the provisions of War Food Order No. 2, regardless of the quantity of butter produced by the respective person during each such calendar month. Each such completed form shall be mailed to the United States Department of Agriculture, Box 6910-A, Chicago, Illinois, not later than the tenth day of the month next succeeding the month for which such report is made.

(3) Each person authorized pursuant to War Food Order No. 2 to serve as an authorized receiver shall correctly complete form "Authorized Receiver's Report—Butter" for the calendar month

during which he was first so authorized and for each calendar month thereafter while such authorization remains in effect and during any additional period during which the respective person has in his possession, or is obligated to have in his possession, or receives any butter required to be set aside pursuant to the provisions of War Food Order No. 2. Each such completed form shall be mailed to the United States Department of Agriculture, Box 6910-A, Chicago, Illinois, not later than the fifteenth day of the month next succeeding the month for which such report is made.

"(c) *Effective date.* This order shall become effective at 12:01 a. m., e. s. t., May 1, 1946.

NOTE: All reporting requirements of this order have been approved by, and subsequent reporting and record-keeping requirements will be subject to the approval of, Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(E.O. 9280, 7 F.R. 10179; E.O. 9577, 10 F.R. 8087; WFO 2, *supra*)

Issued this 29th day of April 1946.

[SEAL]

E. A. MEYER,  
Assistant Administrator, Pro-  
duction and Marketing Ad-  
ministration.

U.S. DEPARTMENT OF AGRICULTURE  
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WFO 2-3

MAY 23, 1946

DEPARTMENT OF AGRICULTURE

[WFO 2-3]

PART 1401—DAIRY PRODUCTS

PERCENTAGE OF BUTTER REQUIRED TO BE SET  
ASIDE IN JUNE 1946

Pursuant to the authority vested in me by War Food Order No. 2, effective May 1, 1946 (11 F.R. 4721), and in order to effectuate the purposes of such order, it is hereby ordered as follows:

§ 1401.206 *Percentage of butter to be*

*set aside in June 1946*—(a) *Definitions.* Each term defined in War Food Order No. 2 shall, when used herein, have the same meaning as set forth for such term in said War Food Order No. 2.

(b) *Percentage.* Each person who produces butter and is required by War Food Order No. 2 to set aside butter during June 1946 shall set aside in such month a quantity of butter equal to 20 percent of all butter produced by him in that month.

(c) *Effective date.* This order shall become effective at 12:01 a. m., e. s. t., June 1, 1946.

(E.O. 9280, 7 F.R. 10179; E.O. 9577, 10 F.R. 8087; WFO 2, 11 F.R. 4721)

Issued this 23d day of May 1946.

[SEAL]

E. A. MEYER,

*Assistant Administrator, Pro-  
duction and Marketing Ad-  
ministration.*

United States Department of Agriculture  
Summary to WFO 2-3

The U. S. Department of Agriculture announced today that creameries will be required to set aside 20 percent of their butter production during June for sale to military and war service agencies. This is the same set-aside percentage as that now in effect for May.

No additional set-aside requirements beyond June are anticipated, since it appears that Government requirements will be fulfilled on the basis of the 20 percent set-aside during each of the months of May and June. However, sales of butter to Government agencies thus far in May have been considerably smaller than expected, and Department officials

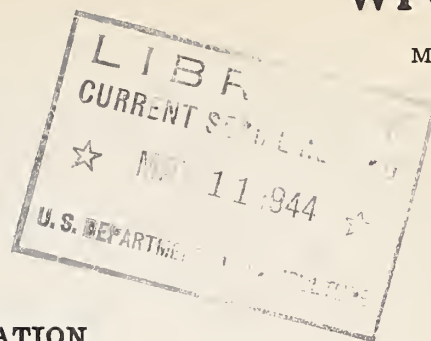
have urged creameries and assemblers to make every effort to speed up deliveries of set-aside butter.

According to tentative estimates, supplies of creamery butter for civilian consumption during June will approximate 90 million pounds, or about the same as now estimated for the month of May.

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U.S. DEPARTMENT OF JUSTICE





## WAR FOOD ADMINISTRATION

[WFO 2-3, Amdt. 1]

## PART 1401—DAIRY PRODUCTS

REPORTS REQUIRED FROM CERTAIN PRODUCERS  
AND AUTHORIZED RECEIVERS OF BUTTER

War Food Order No. 2-3, 9 F.R. 4319 (formerly designated as Food Distribution Order No. 2-3, as issued by the Director of Food Distribution on September 30, 1943, 8 F.R. 13378), is amended to read as follows:

## § 1401.16 Reports—(a) Definitions.

(1) "War Food Order No. 2" means War Food Order No. 2, 9 F.R. 4319 (formerly designated as Food Distribution Order No. 2, as issued by the Secretary of Agriculture on January 5, 1943, 8 F.R. 253, and as amended, 9 F.R. 3623).

(2) Each term defined in War Food Order No. 2 shall, when used herein, have the same meaning as set forth for such term in said War Food Order No. 2, unless otherwise distinctly expressed or manifestly incompatible with the intent hereof.

## (b) Reporting requirements. (1)

Each person who produced more than 12,000 pounds of butter in any calendar month from April 1943 to March 1944, inclusive, shall correctly complete form "Dairy Products Report No. 2—Butter (Creamery Set-aside Butter Report)" for April 1944 and for each subsequent calendar month thereafter during which such person has in his possession, or is obligated to have in his possession, any butter required to be set aside pursuant to the provisions of War Food Order No. 2, regardless of the quantity of butter produced by him during and after April 1944. Each such completed form shall be mailed to the United States Department

of Agriculture, Box 6910-A, Chicago, Illinois, not later than the tenth day of the month next succeeding the month for which such report is made.

(2) Each person who did not produce more than 12,000 pounds of butter in any calendar month from April 1943 to March 1944, inclusive, but who produces more than 12,000 pounds of butter in April 1944 or any subsequent calendar month shall correctly complete form "Dairy Products Report No. 2—Butter (Creamery Set-aside Butter Report)" for each calendar month thereafter during which such person has in his possession, or is obligated to have in his possession, any butter required to be set aside pursuant to the provisions of War Food Order No. 2, regardless of the quantity of butter produced by the respective person during each such calendar month. Each such completed form shall be mailed to the United States Department of Agriculture, Box 6910-A, Chicago, Illinois, not later than the tenth day of the month next succeeding the month for which such report is made.

(3) Each person authorized to serve as an authorized butter receiver shall correctly complete form "Authorized Receiver's Report—Butter" for the calendar month during which he was first so authorized and for each calendar month thereafter while such authorization remains in effect and during any additional period during which the respective person has in his possession, or is obligated to have in his possession, or receives any butter required to be set aside pursuant to the provisions of War Food Order No. 2. Each such completed form shall be mailed to the United States Department of Agriculture, Box 6910-A,

Chicago, Illinois, not later than the fifteenth day of the month next succeeding the month for which such report is made.

(4) After the effective time of this order each producer of butter shall correctly complete form "Dairy Products Report No. 1" (U. S. D. A. Form No. O.E. 9-119), for each calendar month and shall mail such completed form to the United States Department of Agriculture, Box 6910-A, Chicago, Illinois, not later than the tenth day of the next succeeding calendar month.

This amendment shall become effective at 12:01 a. m., e. w. t., May 1, 1944. With respect to violations, rights accrued, liabilities incurred, or appeals taken under said War Food Order No. 2-3 prior to the effective time of this amendment, all of the provisions of said War Food Order No. 2-3 in effect prior to the effective time of this amendment shall be deemed to continue in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, appeal, right, or liability.

NOTE: All reporting and record-keeping requirements of this order have been approved by, and subsequent reporting and record-keeping requirements will be subject to the approval of, Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 2, 8 F.R. 253, 5696, 9 F.R. 3623, 4319)

Issued this 4th day of May 1944.

C. W. KITCHEN,  
Acting Director of Distribution.



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# WAR FOOD ADMINISTRATION

WFO 2-3

AMDT. 2  
MAY 26, 1945

[WFO 2-3, Amdt. 2]

## PART 1401—DAIRY PRODUCTS

### REPORTS REQUIRED FOR CERTAIN PRODUCERS AND AUTHORIZED RECEIVERS OF BUTTER

War Food Order No. 2-3, as amended (8 F.R. 13378; 9 F.R. 4802; 10 F.R. 103), is hereby further amended as follows:

#### § 1401.16 Reports—(a) Definitions.

(1) "War Food Order No. 2" means War Food Order No. 2, as amended (8 F.R. 253, 5696; 9 F.R. 3623, 4321, 4319, 9584; 10 F.R. 103, 3542).

(2) Each term defined in War Food Order No. 2 shall, when used herein, have the same meaning as set forth for such term in said War Food Order No. 2, unless otherwise distinctly expressed or manifestly incompatible with the intent hereof.

(b) *Reporting requirements.* (1) Each person who produced more than 12,000 pounds of butter in any calendar month from April 1944 to March 1945, inclusive, shall correctly complete form "Dairy Products Report No. 2—Butter (Creamery Set-aside Butter Report)" for May 1945 and for each subsequent calendar month thereafter during which such person has in his possession, or is obligated to have in his possession, any butter required to be set aside pursuant to the provisions of War Food Order No. 2, regardless of the quantity of butter produced by him during and after May 1945. Each such completed form shall be mailed to the United States Department of Agriculture, Box 6910-A, Chicago, Illinois, not later than the tenth day of the month next succeeding the month for which such report is made.

(2) Each person who did not produce more than 12,000 pounds of butter in any calendar month from April 1944 to March 1945, inclusive, but who produces more than 12,000 pounds of butter in April 1945 or any subsequent calendar month shall correctly complete form "Dairy Products Report No. 2—Butter (Creamery Set-aside Butter Report)" for May 1945 and for each subsequent calendar month thereafter during which such person has in his possession, or is obligated to have in his possession, any butter required to be set aside pursuant to the provisions of War Food Order No. 2, regardless of the quantity of butter produced by the respective person during each such calendar month. Each such completed form shall be mailed to the United States Department of Agriculture, Box 6910-A, Chicago, Illinois, not later than the tenth day of the month next succeeding the month for which such report is made.

(3) Each person authorized to serve as an authorized butter receiver shall correctly complete form "Authorized Receiver's Report—Butter" for the calendar month during which he was first so authorized and for each calendar month thereafter while such authorization remains in effect and during any additional period during which the respective person has in his possession, or is obligated to have in his possession, or receives any butter required to be set aside pursuant to the provisions of War Food Order No. 2. Each such completed form shall be mailed to the United States Department of Agriculture, Box 6910-A, Chicago, Illinois, not later than the fifteenth day of the month next succeeding the month for which such report is made.

(4) After the effective time of this order, each producer of butter shall correctly complete form "Dairy Products Report No. 1" (U. S. D. A. Form No. O. E. 9-119), for May 1945 and each calendar month thereafter and shall mail such completed form to the United States Department of Agriculture, Box 6910-A, Chicago, Illinois, not later than the tenth day of the next succeeding calendar month.

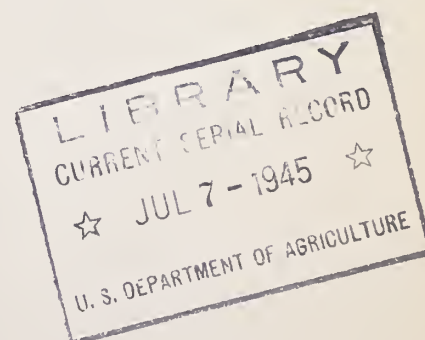
This amendment shall become effective at 12:01 a. m., e. w. t., June 1, 1945. With respect to violations, rights accrued, liabilities incurred, or appeals taken under said War Food Order No. 2-3, as amended, prior to the effective time of this amendment, all of the provisions of said War Food Order No. 2-3, as amended, in effect prior to the effective time of this amendment shall be deemed to continue in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, appeal, right, or liability.

NOTE: All reporting requirements of this order have been approved by, and subsequent reporting and record-keeping requirements will be subject to the approval of, Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 2, as amended, 8 F.R. 253, 5696; 9 F.R. 3623, 4321, 4319, 9584; 10 F.R. 103, 3542)

Issued this 26th day of May 1945.

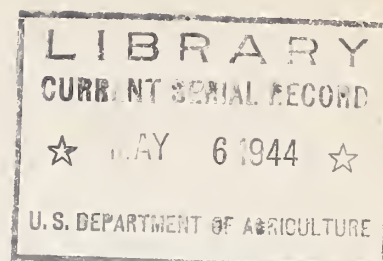
C. W. KITCHEN,  
Director of Marketing Services.







APR. 29, 1944



## WAR FOOD ADMINISTRATION

[WFO 2-5]

## PART 1401—DAIRY PRODUCTS

PERCENTAGE OF BUTTER REQUIRED TO BE SET-  
ASIDE IN MAY AND JUNE 1944

Pursuant to the authority vested in me by War Food Order No. 2, 9 F.R. 4319 (formerly designated as Food Distribution Order No. 2, as originally issued by the Secretary of Agriculture on January 5, 1943, 8 F.R. 253, and as amended, 9 F.R. 3623), it is hereby ordered as follows:

§ 1401.23 *Percentage of butter to be set aside in May and June 1944—(a) Def-*

*initions.* When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent hereof:

(1) Each term defined in War Food Order No. 2 shall, when used herein, have the same meaning as set forth for such term in War Food Order No. 2.

(2) The term "WFO 2" means War Food Order No. 2.

(b) *Percentage.* Each person who is required by WFO 2 to set aside butter during May and June 1944 shall set aside in each of the said months, in which he is required to set aside butter, a quantity of butter equal at least to the fol-

lowing percentages of all butter produced by him in the respective months: (1) In May, 40 percent; and (2) in June, 50 percent.

(c) *Effective date.* This order shall become effective at 12:01 a. m., e. w. t., May 1, 1944.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 2, 8 F.R. 253; 9 F.R. 3623, 4319)

Issued this 29th day of April 1944.

LEE MARSHALL,  
Director of Distribution.

War Food Administration,  
Summary to WFO 2-5.

The War Food Administration has announced that 40 percent of May and 50 percent of June butter production will be reserved for direct war uses.

This action, included in War Food Order 2.1, carries out the plan for the Armed Forces and other government war agencies to buy enough butter during the heavy producing summer months to meet most of their needs through the following winter so that civilians will receive a fairly steady supply throughout the year. Production normally reaches a seasonal peak in June when it is about double the production in the lowest producing winter month.

About 85 percent of the butter reserved for government agencies in 1944—repre-

sented about 17 percent of the total U. S. annual production of creamery butter—will go to the U. S. Armed Forces and other war services, including the Army, Navy, Marine Corps, Coast Guard, Veterans' Administration, and War Shipping Administration. The other 15 percent of the set aside butter—representing only 3 percent of the annual production—will be purchased by WFA to complete the lend-lease, territorial, and Red Cross allocations for the next 12 months.

Government war agencies will require less butter from 1944 production than purchased last year. Early in 1943 these agencies bought butter only to meet current needs and then bought heavily during the summer to acquire supplies for winter requirements. For that reason, it

was not necessary to buy any butter produced from October 1, 1943 through March 31, 1944. As a result, civilians are receiving all of the estimated 120 million pounds of creamery butter produced in March and will receive about an equal quantity from April production since the set aside percentage this month is only 10 percent and butter production is higher than in March. (In addition to creamery butter production, it is estimated that 27 million pounds of farm butter was available to civilians from March production and about 29 million will be available from April production.) As announced March 2, the civilian allocation for April through June is 432 million pounds (farm and creamery butter) compared with 410 million pounds for the January through March period.





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## WAR FOOD ADMINISTRATION

[WFO 2-6]

### PART 1401—DAIRY PRODUCTS

#### BUTTER

Pursuant to the authority vested in me by War Food Order No. 2, as amended, 9 F.R. 4321, 4319 (formerly designated as Food Distribution Order No. 2 originally issued by the Secretary of Agriculture on January 5, 1943, 8 F.R. 253, as amended, 9 F.R. 3623), it is hereby ordered as follows:

§ 1401.182 *Percentage of butter to be set aside in July and August 1944—(a) Definitions.* (1) "WFO 2" means War Food Order No. 2, as amended.

(2) Each term defined in WFO 2 shall, when used herein, have the same meaning as set forth for such term in WFO 2.

(b) *Percentage.* Each person who is required by WFO 2 to set aside butter during July or August 1944 shall set aside in each of the said months, in which he is required to set aside butter, a quantity of butter equal at least to the following percentages of all butter produced by him

in the respective month: (1) in July, 45 percent; and (2) in August, 30 percent.

(c) *Effective date.* This order shall become effective at 12:01 a. m., e. w. t., July 1, 1944.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 2, 8 F.R. 253; 9 F.R. 3623, 4321, 4319)

Issued this 19th day of June 1944.

C. W. KITCHEN,  
*Acting Director of Distribution.*

War Food Administration,  
Summary to WFO 2-6.

The War Food Administration announced today that 45 percent of July and 30 percent of August butter production and 60 percent of July and August Cheddar cheese production will be reserved for direct war uses. This was made effective by issuing War Food Orders 2-6 for butter and 15-8 for cheese.

The action continues the plan of the Armed Services and other Government agencies to buy during the heavy producing summer months enough butter to meet their needs through the following winter, and also to buy during the summer most of their winter needs for

cheese. This plan makes it possible for civilians to receive reasonably steady supplies throughout the year. Because of the wide seasonal variation in production, civilian supplies would be relatively large in summer and extremely short in winter if Government agencies bought these products currently as needed.

U. S. war services will receive most of the 1944 set aside butter or about 17 percent of the annual production of creamery butter. WFA will buy about 3 percent of annual production for lend-lease and territorial requirements. Civilians will receive about the same quantity from July and August butter production as from May and June production, but they

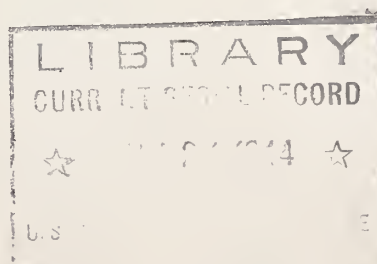
are expected to get somewhat more Cheddar cheese from July and August production than the average supply which has been available to them during the past 12 months.

Because Government agencies followed a similar plan last year and acquired sufficient supplies to meet their needs through early 1944, it has not been necessary to set aside for them as large proportions of production this year as in 1943. Last year 50 percent of July and 30 percent of August butter production was set aside while 70 percent of July and 60 percent of August cheese production was set aside for Government agencies.

GPO—WFA 732—p. 1

WAR FOOD ADMINISTRATION  
OFFICE OF DISTRIBUTION  
WASHINGTON 25, D. C.  
OFFICIAL BUSINESS

Penalty for Private Use to Avoid Payment of  
Postage, \$300





# WAR FOOD ADMINISTRATION

[WFO 2-7]

## PART 1401—DAIRY PRODUCTS

### BUTTER

Pursuant to the authority vested in me by War Food Order No. 2, as amended, 9 F.R. 4321, 4319 (formerly designated as Food Distribution Order No. 2 originally issued by the Secretary of Agriculture on January 5, 1943, 8 F.R. 253, as amended, 9 F.R. 3623), it is hereby ordered as follows:

§ 1401.184 *Percentage of butter to be set aside in September 1944*—(a) *Definitions*. (1) "WFO 2" means War Food Order No. 2, as amended.

(2) Each term defined in WFO 2 shall, when used herein, have the same meaning as set forth for such term in WFO 2.

(b) *Percentage*. Each person who is required by WFO 2 to set aside butter during September 1944 shall set aside, in the said month in which he is required to set aside butter, a quantity of butter

equal to at least 20 percent of all butter produced by him in the said month.

(c) *Effective date*. This order shall become effective at 12:01 a. m., e. w. t., September 1, 1944.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 2, 8 F.R. 253; 9 F.R. 3623, 4321, 4319)

Issued this 21st day of August 1944.

C. W. KITCHEN,  
*Acting Director of Distribution.*

War Food Administration summary to WFO 2-7

Manufacturers of creamery butter will be required to set aside for war uses 20 percent of their production in September, the War Food Administration said today.

In line with WFA policy of asking butter producers to reserve less butter during the months of seasonally declining

production, the September quota is lower than the 30 percent required to be set aside during August.

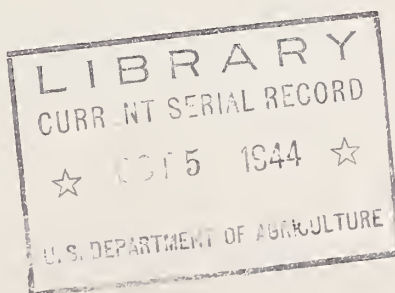
The set-aside quota in September 1943 also was 20 percent. However, WFA says it probably will be necessary to continue the set-aside program during October this year in contrast to last year when Government agencies bought no butter produced after September except

small amounts offered in fulfillment of previous commitments.

A sharp drop in butter production so far this year compared with last year has made it necessary that Government agencies continue in the butter market, the WFA said, in order to assure meeting requirements during the lowest production months when the entire output is made available for civilians.

GPO—WFA 65—p. 1

WAR FOOD ADMINISTRATION  
OFFICE OF DISTRIBUTION  
WASHINGTON 25, D. C.  
OFFICIAL BUSINESS



Penalty for Private Use to Avoid Payment of Postage, \$300





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WFO 2-8

JAN. 10, 1945

## WAR FOOD ADMINISTRATION

[WFO 2-8]

## PART 1401—DAIRY PRODUCTS

## BUTTER

Pursuant to the authority vested in me by War Food Order No. 2, as amended (8 F.R. 253, 5696, 9 F.R. 3623, 4321, 4319, 9584, 10 F.R. 103), and in order to effectuate the purposes of such order, as amended, it is ordered as follows:

§ 1401.191 *Percentages of butter to be set aside in February and March 1945*—(a) *Definitions*. Each term de-

fined in War Food Order No. 2, as amended, shall, when used herein, have the same meaning as set forth for such term in War Food Order No. 2, as amended.

(b) *Percentage*. Each person who is required by War Food Order No. 2, as amended, to set aside butter during February and March 1945 shall set aside in each of said months, in which he is required to set aside butter, a quantity of butter equal at least to the following percentages of all butter produced by him in the respective month: (1) in

February, 20 percent; and (2) in March, 25 percent.

(c) *Effective date*. This order shall become effective at 12:01 a. m., e. w. t., February 1, 1945.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14785; WFO 2, 8 F.R. 253, 5696, 9 F.R. 3623, 4321, 4319, 9584, 10 F.R. 103)

Issued this 10th day of January 1945.

C. W. KITCHEN,

Acting Director of Marketing Services.

War Food Administration,  
Summary to WFO-2-8.

To meet urgent military requirements 20 percent of the creamery butter produced in February and 25 percent in March were set aside for sale to government agencies, the War Food Administration announced today. This action was necessary officials stated to provide supplies urgently needed for shipment overseas to our armed forces.

The War Food Administration pointed

out that any non set-aside butter which may be delivered to government agencies during January could be credited against set-aside obligations in February and March. This is designed to encourage immediate sales of butter needed by government agencies, thereby making it unnecessary to establish a set-aside quota during the last half of January.

Civilian supplies of butter will be reduced during February and March, officials indicated, and added that with war requirements continuing to increase

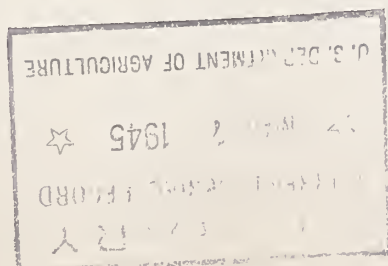
there was little hope of improvement in the butter situation for civilian consumption.

The butter set-aside program during 1945 will be operated in a manner similar to that of last year, the War Food Administration stated, with the set-aside quotas adjusted each month in accordance with seasonal changes in production. This plan of operating the set-aside program is designed for the purpose of providing relatively even monthly supplies of butter for civilian use.

GPO—WFA 269—p. 1

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OFFICE OF DISTRIBUTION  
WASHINGTON 25, D. C.  
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MAR. 12, 1945

# WAR FOOD ADMINISTRATION

[WFO 2-9]

## PART 1401—DAIRY PRODUCTS

### BUTTER

Pursuant to the authority vested in me by War Food Order No. 2, as amended (8 F.R. 253, 5696, 9 F.R. 3623, 4321, 4319, 9584, 10 F.R. 103), and in order to effectuate the purposes of such order, as amended, it is ordered as follows:

§ 1401.194 *Percentages of butter to be set aside in April and May 1945*—(a)

*Definitions.* Each term defined in War Food Order No. 2, as amended, shall, when used herein, have the same meaning as set forth for such term in War Food Order No. 2, as amended.

(b) *Percentage.* Each person who is required by War Food Order No. 2, as amended, to set aside butter during April and May 1945 shall set aside in each of said months, in which he is required to set aside butter, a quantity of butter equal at least to the following percentages of all butter produced by him in the

respective month: (1) in April, 40 percent; and (2) in May, 55 percent.

(c) *Effective date.* This order shall become effective at 12:01 a. m., e. w. t., April 1, 1945.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 2, 8 F.R. 253, 5696, 9 F.R. 3623, 4321, 4319, 9584, 10 F.R. 103)

Issued this 12th day of March 1945.

C. W. KITCHEN,  
Director of Marketing Services.

War Food Administration.  
Summary to WFO-2-9.

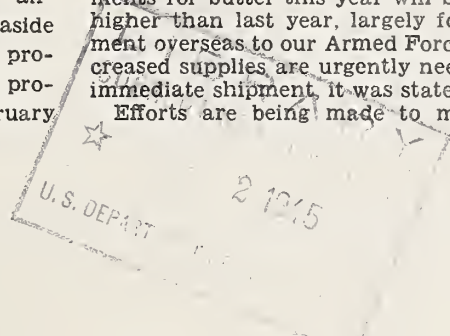
The War Food Administration announced today that the butter set-aside quota for April will be 40 percent of production and for May 55 percent of production. Previously, during February

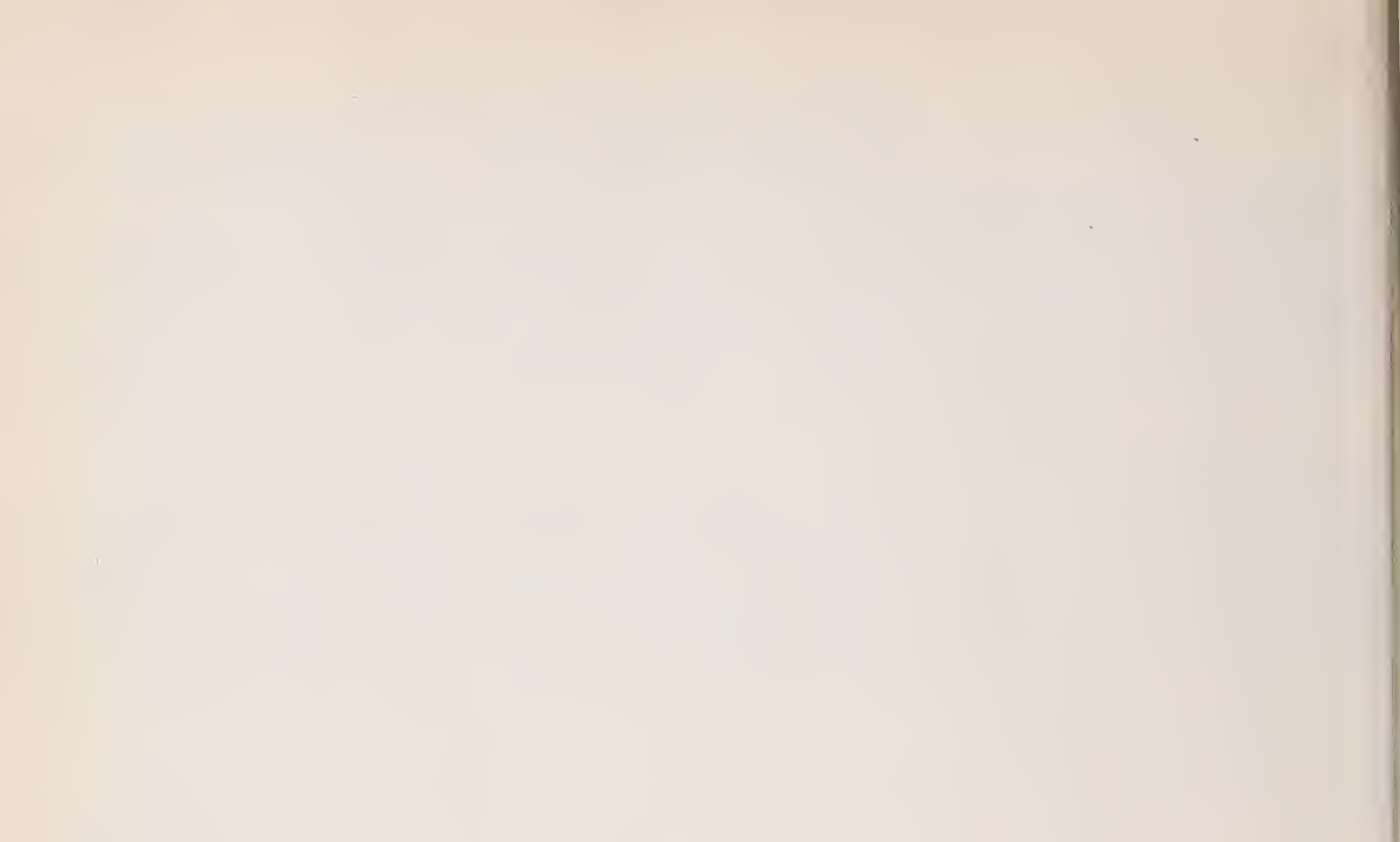
and March, the set-aside percentages were 20 and 25 percent respectively.

Officials indicated that War requirements for butter this year will be much higher than last year, largely for shipment overseas to our Armed Forces. Increased supplies are urgently needed for immediate shipment, it was stated.

Efforts are being made to maintain

butter production and to keep the available civilian supplies flowing into trade channels on an even monthly basis. During April and May quantities of creamery butter for civilians will not exceed 80 million pounds as compared with an average of about 82 million pounds during February and March.





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WFO 2-10

MAY 17, 1945

## WAR FOOD ADMINISTRATION

[WFO 2-10]

### PART 1401—DAIRY PRODUCTS

#### BUTTER

Pursuant to the authority vested in me by War Food Order No. 2, as amended (8 F.R. 253, 5696; 9 F.R. 3623, 4321, 4319, 9584; 10 F.R. 103, 3542), and in order to effectuate the purposes of such order, as amended, it is hereby ordered as follows:

§ 1401.197 *Percentages of butter to be set aside in June and July 1945*—(a)

*Definitions.* Each term defined in War Food Order No. 2, as amended, shall, when used herein, have the same meaning as set forth for such term in War Food Order No. 2, as amended.

(b) *Percentage.* Each person who is required by War Food Order No. 2, as amended, to set aside butter during June and July 1945 shall set aside, in each of said months in which he is required to set aside butter, a quantity of butter equal at least to the following percentages of all butter produced by him in the respective month: (1) in

June, 55 percent; and (2) in July, 50 percent.

(c) *Effective date.* This order shall become effective at 12:01 a. m., e. w. t., June 1, 1945.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 2, as amended, 8 F.R. 253, 5696; 9 F.R. 3623, 4321, 4319, 9584; 10 F.R. 103, 3542)

Issued this 17th day of May 1945.

C. W. KITCHEN,  
*Director of Marketing Services.*

### War Food Administration, Summary to WFO 2-10.

The War Food Administration announced today that 55 percent of June and 50 percent of July creamery butter production and 70 percent of June Cheddar cheese production will be reserved for sale to Government agencies. These were made effective by issuing War Food Orders 2.10 for butter and 15.16 for cheese.

These quotas, officials indicated, were established in accordance with the policy of war procurement agencies to obtain

the bulk of their yearly requirements during the months when production is highest. This plan makes it possible for civilians to receive reasonably steady monthly supplies throughout the year. Because of the wide seasonal variation in production, civilian supplies would be relatively large in summer and extremely short in winter if Government agencies bought these products currently as needed.

Supplies of creamery butter for civilians during June and July are expected to average 80 millions pounds each month, which is about the same quantity

estimated to have been distributed during April and May. Civilian supplies of Cheddar cheese during June are expected to continue at about the same level as in recent months—approximately 36 million pounds.

War requirements for butter and cheese are higher than at any previous time, officials stated, and for this reason set-aside quotas are somewhat higher than last year. During June and July 1944 the butter set-asides were 50 percent and 45 percent respectively, and the set-aside for Cheddar cheese in June 1944 was 60 percent.



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WFO 2-11  
JULY 23, 1945

DEPARTMENT OF AGRICULTURE

[WFO 2-11]

PART 1401—DAIRY PRODUCTS

BUTTER

Pursuant to the authority vested in me by War Food Order No. 2, as amended (8 F.R. 5696; 9 F.R. 3623, 4321, 4319, 9584, 10 F.R. 103, 3542), and in order to effectuate the purposes of such order, as amended, it is hereby ordered as follows:

§ 1401.201 *Percentage of butter to be set aside in August 1945*—(a) *Defini-*

*tions.* Each term defined in War Food Order No. 2, as amended, shall, when used herein, have the same meaning as set forth for such term in War Food Order No. 2, as amended.

(b) *Percentage.* Each person who is required by War Food Order No. 2, as amended, to set aside butter during August 1945 shall set aside, in such month, a quantity of butter equal to at least 30 percent of all butter produced by him in that month.

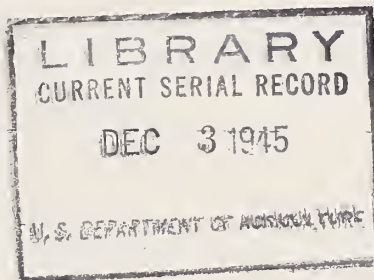
(c) *Effective date.* This order shall become effective at 12:01 a. m., e. w. t., August 1, 1945.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; E.O. 9577, 10 F.R. 8087; WFO 2, as amended, 8 F.R. 5696, 9 F.R. 3623, 4321, 4319, 9584, 10 F.R. 103, 3542)

Issued this 23d day of July 1945.

[SEAL]

C. W. KITCHEN,  
Director of Marketing Services.







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Cap. 2

## DEPARTMENT OF AGRICULTURE

**WFO 2**  
TERMINATION  
MAY 15, 1947

[WFO 2, Termination]

PART 1401—DAIRY PRODUCTS

BUTTER

War Food Order No. 2 (11 F. R. 4721)  
and all war food orders pursuant there-  
to<sup>1</sup> are hereby terminated effective as of  
12:01 a. m., e. s. t., May 16, 1947.

<sup>1</sup>WFO 2.1 to WFO 2.3, inclusive.

With respect to violations, rights ac-  
crued, liabilities incurred, or appeals  
taken under the aforesaid war food or-  
ders, prior to the effective time of the  
provisions hereof, the provisions of said  
war food orders, in effect prior to the  
effective time hereof, shall be deemed to  
continue in full force and effect for the  
purpose of sustaining any proper suit,  
action, or other proceeding with respect

to any such violation, right, liability, or  
appeal.

(E. O. 9280, Dec. 5, 1942, 3 CFR Cum.  
Supp.; E. O. 9577, June 29, 1945, 3 CFR  
1945 Supp.)

Issued this 15th day of May 1947.

[SEAL]

CLINTON P. ANDERSON,  
*Secretary of Agriculture.*

